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Attorney's Docket No.: 1254-0258PUS1

DECLARATION, POWER OF ATTORNEY AND PETITION

I (We), the undersigned inventor(s), hereby declare that: My residence, post office address and citizenship are as stated below next to my name, I (We) believe that I am (we are) the original, first, and joint (sole) inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled GENE CODING FOR SCYTALONE DEHYDRATASE EXHIBITING RESISTANCE TO AGRICULTURAL FUNGICIDAL AGENT the specification of which □ is attached hereto. □ was filed on ___ Application Serial No. and amended on _____ ■ was filed as PCT international application Number PCT/JP03/01980 on February 24, 2003 and was amended under PCT Article 19 ____(if applicable).

I (We) hereby state that I (We) have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above; that I (We) do not know and do not believe that this invention was ever known or used before my invention or discovery thereof, or patented or described in any printed publication in any country before my invention or discovery thereof, or more than one year prior to this application, or in public use or on sale in the United States for more than one year prior to this application; that this invention or discovery has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months before this application.

I (We) acknowledge the duty to disclose information known to be material to the patentability of this application as defined in Section 1.56 of Title 37 Code of Federal Regulations.

I (We) hereby claim foreign priority benefits under Section 119(a)-(d) of Title 35 United States Code, of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Application No.	Country	Filing date	clai	Priority claimed	
2002-66955	Japan	March 12, 2002	■ Yes	□ No	
		_	_ □ Yes	□ No	
			_ 🗆 Yes	□ No	
			_ □ Yes	□ No	
I hereby claim the ben	efit under Section	19(e) of Title 35 Unite	ed States Co	ode, of any	/ United States
application(s) listed bel	ow.				
(Application Number)		(Filing Date)			
(Application Number)		(Filing Date)			
application(s) listed bel disclosed in the prior U	ow and, insofar as th Inited States applica	ion 120 of Title 35 Unit e subject matter of each tion in the manner prov	of the claim	ns of this ap first paragi	oplication is not raph of Section
112 of Title 35 United	States Code, I (W	e) acknowledge the dut	y to disclos	e material	information as
defined in Section 1.56	o(a) of Title 37 Cod	e of Federal Regulation	s, which oc	curred bet	ween the filing
date of the prior applica	tion and national or	PCT international filing	date of this	application	:
			Status	s (pending,	
				patented,	,
Application Serial No.	F	iling Date		abandone	ed)
					

And I (We) hereby appoint: BIRCH, STEWART, KOLASCH & BIRCH, LLP, CUSOMER NUMBER 2292

I(We) hereby request that all correspondence regarding this application be sent to the firm of BIRCH, STEWART, KOLASCH & BIRCH, LLP whose Post office address is: 8110 Gatehouse Road, Suite 100 East, Falls Church, Virginia 22042-1248 U.S.A.

I (We) declare further that all statements made herein of my (our) knowledge are true and that all statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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